

110TH CONGRESS  
1ST SESSION

# S. 116

To authorize resources to provide students with opportunities for summer learning through summer learning grants.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 4, 2007

Mr. OBAMA (for himself and Ms. MIKULSKI) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To authorize resources to provide students with opportunities for summer learning through summer learning grants.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Summer Term Edu-  
5       cation Programs for Upward Performance Act of 2007”  
6       or the “STEP UP Act of 2007”.

7       **SEC. 2. FINDINGS.**

8       Congress finds the following:

1           (1) All students experience learning losses when  
2           they do not engage in educational activities during  
3           the summer.

4           (2) Students on average lose more than 1  
5           month's worth of academic skills, and 2 months or  
6           more in mathematics facts and skills, during the  
7           summer.

8           (3) The impact of summer learning loss is  
9           greatest for children living in poverty, for children  
10          with learning disabilities, and for children who do  
11          not speak English at home.

12          (4) While middle-class children's test scores plateau or even rise during the summer months, scores  
13          plummet for children living in poverty. Disparities  
14          grow, so that reading scores of disadvantaged students  
15          can fall more than 2 months behind the scores  
16          of their middle-class peers each summer during the  
17          elementary school years.

18          (5) Summer learning losses by children living in  
19          poverty accumulate over the elementary school years,  
20          so that their achievement scores fall further and further  
21          behind the scores of their more advantaged  
22          peers as the children progress through school.

23          (6) Analysis by Professor Karl Alexander and  
24          his colleagues demonstrates that summer learning  
25

1 differences during the elementary school years sub-  
2 stantially account for achievement-related differences  
3 later in students' lives, including rates of secondary  
4 school completion.

5 (7) This summer slide is costly for American  
6 education. Analysis by Professor Harris Cooper and  
7 his colleagues demonstrates that over 2 months of  
8 instruction is lost each school year due to re-teach-  
9 ing material from the previous year.

10 (8) Analysis of summer learning programs  
11 using independent randomized controlled trials has  
12 demonstrated their impact and effectiveness. Stu-  
13 dents participating in the BELL summer programs  
14 in Boston, New York, and Washington, DC, im-  
15 proved their reading skills by approximately 1  
16 month, took part in more academic activities, read  
17 more books, and were encouraged to read more by  
18 their parents. A randomized, 3-year longitudinal  
19 study of the Teach Baltimore Summer Academy, de-  
20 signed by the Center for Summer Learning, dem-  
21 onstrates that students attending a multi-year sum-  
22 mer intervention return to school having gained  
23 close to  $\frac{1}{2}$  year in reading comprehension and vo-  
24 cabulary.

1           (9) Summer learning programs are proven to  
2       remedy, reinforce, and accelerate learning, and can  
3       serve to close the achievement gap in education.

4   **SEC. 3. PURPOSE.**

5       The purpose of this Act is to create opportunities for  
6   summer learning by providing summer learning grants to  
7   eligible students, in order to—

8           (1) provide the students with access to summer  
9       learning;

10          (2) facilitate the enrollment of students in ele-  
11       mentary schools or youth development organizations  
12       during the summer;

13          (3) promote collaboration between teachers and  
14       youth development professionals in order to bridge  
15       gaps between schools and youth programs; and

16          (4) encourage teachers to try new techniques,  
17       acquire new skills, and mentor new colleagues.

18   **SEC. 4. DEFINITIONS.**

19       In this Act:

20          (1) **EDUCATIONAL SERVICE AGENCY.**—The  
21       term “educational service agency” has the meaning  
22       given the term in section 9101 of the Elementary  
23       and Secondary Education Act of 1965 (20 U.S.C.  
24       7801).

1           (2) ELIGIBLE ENTITY.—The term “eligible enti-  
2       ty” means an entity that—

3           (A) desires to participate in a summer  
4       learning grant program under this Act by pro-  
5       viding summer learning opportunities described  
6       in section 6(d)(1)(B) to eligible students; and

7           (B) is—

8           (i) a local educational agency;

9           (ii) a for-profit educational provider,  
10       nonprofit organization, or summer enrich-  
11       ment camp, that has been approved by the  
12       State educational agency to provide the  
13       summer learning opportunity described in  
14       section 6(d)(1)(B), including an entity that  
15       is in good standing that has been pre-  
16       viously approved by a State educational  
17       agency to provide supplemental educational  
18       services; or

19          (iii) a consortium consisting of a local  
20       educational agency and 1 or more of the  
21       following entities:

22           (I) Another local educational  
23       agency.

24           (II) A community-based youth  
25       development organization with a dem-

1                   onstrated record of effectiveness in  
2                   helping students learn.

3                   (III) An institution of higher  
4                   education.

5                   (IV) An educational service agen-  
6                   cy.

7                   (V) A for-profit educational pro-  
8                   vider described in clause (ii).

9                   (VI) A nonprofit organization de-  
10                  scribed in clause (ii).

11                  (VII) A summer enrichment  
12                  camp described in clause (ii).

13                  (3) ELIGIBLE STUDENT.—The term “eligible  
14                  student” means a student who—

15                   (A) is eligible for a free lunch under the  
16                  Richard B. Russell National School Lunch Act  
17                  (42 U.S.C. 1751 et seq.);

18                   (B) is served by a local educational agency  
19                  identified by the State educational agency in  
20                  the application described in section 5(b); or

21                   (C)(i) in the case of a summer learning  
22                  grant program authorized under this Act for  
23                  fiscal year 2008, 2009, or 2010, is eligible to  
24                  enroll in any of the grades kindergarten

through grade 3 for the school year following participation in the program; or

(ii) in the case of a summer learning grant program authorized under this Act for fiscal year 2011 or 2012, is eligible to enroll in any of the grades kindergarten through grade 5 for the school year following participation in the program.

(4) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(5) LOCAL EDUCATIONAL AGENCY.—The term “local educational agency” has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(6) SECRETARY.—The term “Secretary” means the Secretary of Education.

(7) STATE.—The term “State” means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands,

1 the Federated States of Micronesia, and the Repub-  
 2 lic of Palau.

3 (8) STATE EDUCATIONAL AGENCY.—The term  
 4 “State educational agency” has the meaning given  
 5 the term in section 9101 of the Elementary and Sec-  
 6 ondary Education Act of 1965 (20 U.S.C. 7801).

7 **SEC. 5. DEMONSTRATION GRANT PROGRAM.**

8 (a) PROGRAM AUTHORIZED.—

9 (1) IN GENERAL.—From the funds appro-  
 10 priated under section 8 for a fiscal year, the Sec-  
 11 retary shall carry out a demonstration grant pro-  
 12 gram in which the Secretary awards grants, on a  
 13 competitive basis, to State educational agencies to  
 14 enable the State educational agencies to pay the  
 15 Federal share of summer learning grants for eligible  
 16 students.

17 (2) NUMBER OF GRANTS.—For each fiscal year,  
 18 the Secretary shall award not more than 5 grants  
 19 under this section.

20 (b) APPLICATION.—A State educational agency that  
 21 desires to receive a grant under this section shall submit  
 22 an application to the Secretary at such time, in such man-  
 23 ner, and accompanied by such information as the Sec-  
 24 retary may require. Such application shall identify the  
 25 areas in the State where the summer learning grant pro-

1 gram will be offered and the local educational agencies  
2 that serve such areas.

3 (c) AWARD BASIS.—

4 (1) SPECIAL CONSIDERATION.—In awarding  
5 grants under this section, the Secretary shall give  
6 special consideration to a State educational agency  
7 that agrees, to the extent possible, to enter into  
8 agreements under section 6(d) with eligible entities  
9 that are consortia described in section 4(2)(B)(iii)  
10 and that include 2 or more of the entities described  
11 in subclauses (I) through (VII) of such section  
12 4(2)(B)(iii) as partners.

13 (2) GEOGRAPHIC DISTRIBUTION.—In awarding  
14 grants under this section, the Secretary shall take  
15 into consideration an equitable geographic distribu-  
16 tion of the grants.

17 **SEC. 6. SUMMER LEARNING GRANTS.**

18 (a) USE OF GRANTS FOR SUMMER LEARNING  
19 GRANTS.—

20 (1) IN GENERAL.—Each State educational  
21 agency that receives a grant under section 5 for a  
22 fiscal year shall use the grant funds to provide sum-  
23 mer learning grants for the fiscal year to eligible  
24 students in the State who desire to attend a summer  
25 learning opportunity offered by an eligible entity

1 that enters into an agreement with the State edu-  
 2 cational agency under subsection (d)(1).

3 (2) AMOUNT; FEDERAL AND NON-FEDERAL  
 4 SHARES.—

5 (A) AMOUNT.—The amount of a summer  
 6 learning grant provided under this Act shall  
 7 be—

8 (i) for each of the fiscal years 2008  
 9 through 2011, \$1,600; and

10 (ii) for fiscal year 2012, \$1,800.

11 (B) FEDERAL SHARE.—The Federal share  
 12 of each summer learning grant shall be not  
 13 more than 50 percent of the amount of the  
 14 summer learning grant determined under sub-  
 15 paragraph (A).

16 (C) NON-FEDERAL SHARE.—The non-Fed-  
 17 eral share of each summer learning grant shall  
 18 be not less than 50 percent of the amount of  
 19 the summer learning grant determined under  
 20 subparagraph (A), and shall be provided from  
 21 non-Federal sources, such as State or local  
 22 sources.

23 (b) DESIGNATION OF SUMMER SCHOLARS.—Eligible  
 24 students who receive summer learning grants under this  
 25 Act shall be known as “summer scholars”.

1       (c) SELECTION OF SUMMER LEARNING OPPOR-  
2 TUNITY.—

3           (1) DISSEMINATION OF INFORMATION.—A  
4 State educational agency that receives a grant under  
5 section 5 shall disseminate information about sum-  
6 mer learning opportunities and summer learning  
7 grants to the families of eligible students in the  
8 State.

9           (2) APPLICATION.—The parents of an eligible  
10 student who are interested in having their child par-  
11 ticipate in a summer learning opportunity and re-  
12 ceive a summer learning grant shall submit an appli-  
13 cation to the State educational agency that includes  
14 a ranked list of preferred summer learning opportu-  
15 nities.

16          (3) PROCESS.—A State educational agency that  
17 receives an application under paragraph (2) shall—

18           (A) process such application;

19           (B) determine whether the eligible student  
20 shall receive a summer learning grant;

21           (C) coordinate the assignment of eligible  
22 students receiving summer learning grants with  
23 summer learning opportunities; and

24           (D) if demand for a summer learning op-  
25 portunity exceeds capacity—

1 (i) in a case where information on the  
 2 school readiness (based on school records  
 3 and assessments of student achievement)  
 4 of the eligible students is available, give  
 5 priority for the summer learning oppor-  
 6 tunity to eligible students with low levels of  
 7 school readiness; or

8 (ii) in a case where such information  
 9 on school readiness is not available, rely on  
 10 randomization to assign the eligible stu-  
 11 dents.

12 (4) FLEXIBILITY.—A State educational agency  
 13 may assign a summer scholar to a summer learning  
 14 opportunity program that is offered in an area  
 15 served by a local educational agency that is not the  
 16 local educational agency serving the area where such  
 17 scholar resides.

18 (5) REQUIREMENT OF ACCEPTANCE.—An eligi-  
 19 ble entity shall accept, enroll, and provide the sum-  
 20 mer learning opportunity of such entity to, any sum-  
 21 mer scholar assigned to such summer learning op-  
 22 portunity by a State educational agency pursuant to  
 23 this subsection.

24 (d) AGREEMENT WITH ELIGIBLE ENTITY.—

1           (1) IN GENERAL.—A State educational agency  
2       shall enter into an agreement with the eligible entity  
3       offering a summer learning opportunity, under  
4       which—

5           (A) the State educational agency shall  
6       agree to make payments to the eligible entity,  
7       in accordance with paragraph (2), for a summer  
8       scholar; and

9           (B) the eligible entity shall agree to pro-  
10      vide the summer scholar with a summer learn-  
11      ing opportunity that—

12           (i) provides a total of not less than  
13      the equivalent of 30 full days of instruction  
14      (or not less than the equivalent of 25 full  
15      days of instruction, if the equivalent of an  
16      additional 5 days is devoted to field trips  
17      or other enrichment opportunities) to the  
18      summer scholar;

19           (ii) employs small-group, research-  
20      based educational programs, materials,  
21      curricula, and practices;

22           (iii) provides a curriculum that—

23           (I) emphasizes reading and  
24      mathematics;

1 (II) is primarily designed to in-  
 2 crease the literacy and numeracy of  
 3 the summer scholar; and

4 (III) is aligned with the stand-  
 5 ards and goals of the school year cur-  
 6 riculum of the local educational agen-  
 7 cy serving the summer scholar;

8 (iv) applies assessments to measure  
 9 the skills taught in the summer learning  
 10 opportunity and disaggregates the results  
 11 of the assessments for summer scholars by  
 12 race and ethnicity, economic status, limited  
 13 English proficiency status, and disability  
 14 category, in order to determine the oppor-  
 15 tunity's impact on each subgroup of sum-  
 16 mer scholars;

17 (v) collects daily attendance data on  
 18 each summer scholar; and

19 (vi) meets all applicable Federal,  
 20 State, and local civil rights laws.

21 (2) AMOUNT OF PAYMENT.—

22 (A) IN GENERAL.—Except as provided in  
 23 subparagraph (B), a State educational agency  
 24 shall make a payment to an eligible entity for

1 a summer scholar in the amount determined  
2 under subsection (a)(2)(A).

3 (B) ADJUSTMENT.—In the case in which a  
4 summer scholar does not attend the full sum-  
5 mer learning opportunity, the State educational  
6 agency shall reduce the amount provided to the  
7 eligible entity pursuant to subparagraph (A) by  
8 a percentage that is equal to the percentage of  
9 the summer learning opportunity not attended  
10 by such scholar.

11 (e) USE OF SCHOOL FACILITIES.—State educational  
12 agencies are encouraged to require local educational agen-  
13 cies in the State to allow eligible entities, in offering sum-  
14 mer learning opportunities, to make use of school facilities  
15 in schools served by such local educational agencies at rea-  
16 sonable or no cost.

17 (f) ACCESS OF RECORDS.—An eligible entity offering  
18 a summer learning opportunity under this Act is eligible  
19 to receive, upon request, the school records and any pre-  
20 vious supplemental educational services assessment  
21 records of a summer scholar served by such entity.

22 (g) ADMINISTRATIVE COSTS.—A State educational  
23 agency or eligible entity receiving funding under this Act  
24 may use not more than 5 percent of such funding for ad-  
25 ministrative costs associated with carrying out this Act.

1 **SEC. 7. EVALUATIONS; REPORT; WEBSITE.**

2 (a) EVALUATION AND ASSESSMENT.—For each year  
3 that an eligible entity enters into an agreement under sec-  
4 tion 6(d), the eligible entity shall prepare and submit to  
5 the Secretary a report on the activities and outcomes of  
6 each summer learning opportunity that enrolled a summer  
7 scholar, including—

8 (1) information on the design of the summer  
9 learning opportunity;

10 (2) the alignment of the summer learning op-  
11 portunity with State standards; and

12 (3) data from assessments of student mathe-  
13 matics and reading skills for the summer scholars  
14 and on the attendance of the scholars, disaggregated  
15 by the subgroups described in section 6(d)(1)(B)(iv).

16 (b) REPORT.—For each year funds are appropriated  
17 under section 8 for this Act, the Secretary shall prepare  
18 and submit a report to Congress on the summer learning  
19 grant programs, including the effectiveness of the summer  
20 learning opportunities in improving student achievement.

21 (c) SUMMER LEARNING GRANTS WEBSITE.—The  
22 Secretary shall make accessible, on the Department of  
23 Education website, information for parents and school  
24 personnel on successful programs and curricula, and best  
25 practices, for summer learning opportunities.

1 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

2       There are authorized to be appropriated to carry out  
3 this Act \$100,000,000 for fiscal year 2008 and such sums  
4 as may be necessary for each of the fiscal years 2009  
5 through 2012.

○